

BILL NO. Z-76-07-30

ZONING MAP ORDINANCE NO. Z-last


AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. C-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an M-1 District under the terms of Chapter 36,
Municipal Code of the City of Fort Wayne, Indiana, 1946, as
amended by General Ordinance No. 2836 and amendments thereof;
and the symbols of the City of Fort Wayne Zoning Map No. C-14,
referred to therein, established by Section 9, Article III
of said Chapter as amended, are hereby changed accordingly,
to-wit:

Lots 16 and 17, Gardendale Addition,
Seddlmeyer Road, Allen County,
Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force
and effect from and after its passage, approval by the Mayor
and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by _____, seconded by _____

_____ *Talarico*, and duly adopted, read the second time by title and referred to the Committee on Regulations *and the City Plan* (and the City Plan Commission for *commission for recommendation*) and Public Hearing to be held after due legal notice, at the Council

Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 7-27-76

Charles W. Talarico
CITY CLERK

Read the third time in full and on motion by _____

seconded by Talarico, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BURNS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HUNTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 9-14-76

Charles W. Talarico
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 1976.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 1976, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 1976, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 27, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-07-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

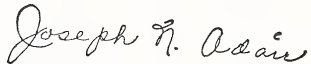
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 16, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 23, 1976.

Certified and signed this
24th day of August, 1976.



Joseph N. Adair
Secretary

[Handwritten signature]

Bill No. Z-76-07-30

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

Amending the City of Fort Wayne Zoning Map No. C-14

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance passed PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

[Handwritten signatures: John Nuckols, Paul M. Burns, Vivian G. Schmidt, Winfield C. Moses, Jr., Donald J. Schmidt]

DATE 9-14-76 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No 081

FT. WAYNE, IND. July 2 1976RECEIVED FROM Common Builders\$ 50.00THE SUM OF Fifty

DOLLARS

ON ACCOUNT OF R. Quinn R-3 to M-1Lot 16+17 Gardendale, Ind.Natie F. Fite

AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

50 FILING FEE 8/15
Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We William O. Ehrman and Joan M. Ehrman h/w

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-3 district to a/an M-1 district the property described as follows:

Lots 16 and 17, Gardendale Addition, Seddlemeyer Road, Allen County,
Fort Wayne, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

William O. Ehrman

329 W. Fleming Ave.

Joan M. Ehrman

329 W. Fleming Ave.

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

William O. Ehrman

329 W. Fleming Ave.

456-2009 or 744-3419

(Name)

(Address)

(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802
Telephone Number: 423-7571



329 West Fleming / Fort Wayne, Indiana 46807 / (219) 456-2009

Community Development & Planning
City - County Bldg.
One Main Street
Fort Wayne, Indiana

Dear Members:

RECEIVED

AUG 24 1976

FORT WAYNE CITY
PLAN COMMISSION

In regards to Bill #2-76-07-30 Lot #16 & 17 Gardendale Add.
from "RA to M1" on August 16, 1976 agenda.

I presented my case to the Board and was told to meet with the local association and work with them on Friday Aug. 20, 1976. I met with them, was asked one question on height of building and exterior storage which I answered. Then I proceeded to show the drawing I had, to a Mr. Campbell - the drawing ended up on the floor and I was informed that he had no intention of promoting a M-1 zoning in that area. He then proceeded to tell me off, demanding I take better care of the property, ie repair and cutting of the grass (which I do not do a good job of) and, to make a long story short, gave me the impression the zoning change was there to decide and he had no intention of promoting it. With the drawing still lying on the floor, I told him what I thought and left. It was very disappointing to say the least -

- #1 I feel that I got a stacked deck, having to get an association approval for re-zoning.
- #2 If all future rezoning is left for the people in that area to decide nothing will ever be changed.
- #3 Knowing very little about zoning and planning, but I do believe there must be some form of long range planning that can be adjusted to the development of land to its best productive use. One home facing Seddlemeyer between Anthony and Decatur Road in 18 acres? Something wrong! I talked to my closest neighbor on Saturday A.M., told him about the meeting and he agrees with the rezoning, he belongs to the association but was not asked to the meeting.
- #4 I do believe in the rezoning of the lots North of mine on Decatur Road was a proper decision. Enclosed article.
- #5 There is no reason to sit down to discuss the matter with people that have already made a definite opinion. They will not grant me the courtesy of looking at the drawings.

Sincerely yours,
W. O. Ehrman
Wm. O. Ehrman

Legal
Column 1)

at the Century
morial Coliseum. Patients

N.S. 6-29-76
Cooperative Plan Effort Urged

two-family residence
struction and other
ock building.

Neighborhood Assoc-
ne rezoning, but the
a "logical" exten-

also rejected the
s opposition to an-
at 1718 Cass St. for
er warehouse.

nmended approval
wner of the compa-
would not be per-
et.

Catholic Church to
usiness for a neigh-
office complex also

was rejected by the Commission. Although
Commissioners endorsed the church's revita-
lization plans, they felt it would be better for
the church to approach the Board of Zoning
Appeals.

Another neighborhood association's opposi-
tion to industrial zoning was rejected by the
Plan Commission. The Commissioners recom-
mended approval of the nine-acre rezoning
at Old Decatur and Paulding rds. and Hanna
Street for a "ministorage facility."

Kelley called the area an "eyesore" that
needs some activity. The area is not good for
further residential development, he said.

Neighborhood association opposition to a
limited business rezoning request at 1402 East
State Blvd., however, gained support from the
Plan Commission, which rejected the zoning

change from multifamily. The Commi-
said they wanted to stop commer-
croachment into the residential area.

The Commissioners also:

— Recommended approval of a 16-
zoning from multifamily residential to
business east of North Clinton Stre
north of California Road.

— Approved the preliminary plan
professional village at Georgetown, ex-
of Lofton Woods and the Centennial In-
Park west of Goshen Road and south
fornia Road.

— Approved final plans for the
Park Forest and Willow Creek Cross-
dential developments.

Coler



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
division of long range planning and zoning

August 24, 1976



Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 23, 1976. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill NO. Z-76-07-30
2. From "RA" to "M1"
3. Intended Use: Three (3) storage warehouses for storage contractor's supplies.
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a. The granting of this request would represent spot zoning and would initiate a significant change in the character of the area. Although this area will, in the future, probably become multi-family, commercial, or industrial in use, such a change should be accomplished in a comprehensive planned manner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten (for)

Gary F. Baeten
Land Use Administrator

GFB:Pr
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

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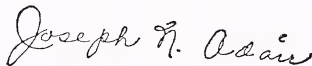
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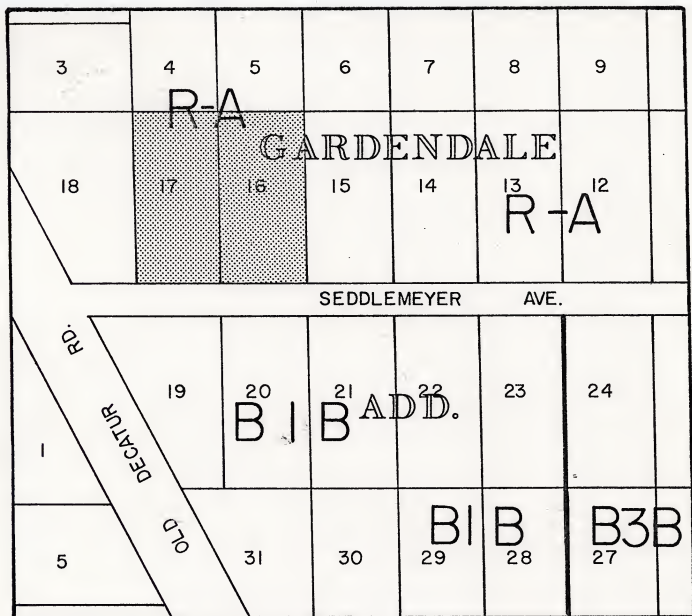
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Certified and signed this
24th day of August, 1976.



Joseph N. Adair
Secretary



To be changed from R-A to M-I

7-6-76

C-14

2-76-07-30



I'm Steve Taylor and I reside at 1209 Sylvia Ave. with my parents, Mr. + Mrs. William Taylor. Our house is located about ~~1 1/2~~ blocks west of the lots proposed to be rezoned. For years we have strived to improve our neighborhood through the South Suburban Civic Association by limiting the type of businesses ^{around us} ~~in our neigh~~. Presently it has been proposed that 2 lots on Sedlemeyer in the Gardendale Addition be changed from Residential to M1, Industrial. We are opposing this rezoning because there ^{are} ~~is~~ no Industrial zoned lots around us and we do not want any now. We have allowed several areas around us to be zoned for business — but light business only. We feel that this large step from ~~R~~ Residential RA zoning to M1 Industrial zoning would be a step backward in ~~the~~ our efforts for bettering ~~the~~ neighborhood. (★)

(Back)

As tax paying citizens of this community we strongly request that the City Planning Commission not recommend the rezoning of lots #16 and 17 to M1.

On behalf of the members of the association present tonight and those who could not be here, I ^{have} presented this petition in opposition to this bill with 60 signatures of residents in this area,

Recently the city spent a large sum of money rebuilding Anthony ~~and~~ ~~and~~ constructing the Tall Oaks Apartments for Senior Citizens. We do not feel that the rezoning of these lots would be a benefit to this new addition to our community.

As to the Junkyard it is already being cleared out.

President - Joyce Taylor
V. President - Hugh Campbell
Secretary - Mary Dief

WE, THE UNDERSIGNED MEMBERS OF THE SOUTH SUBURBAN CIVIC ASSOCIATION, OPPOSE THE REZONING OF LOTS #17 AND #16 GARDENDALE ADDITION, LOCATED ON THE NORTH SIDE OF SEDDLEMAYER AVENUE AND APPROXIMATELY 100 FEET EAST OF OLD DECATUR ROAD FROM "RA" TO "M1" AS MENTIONED IN BILL NO. 2-76-07-30.

SIGNATURE

ADDRESS

- 1 *Lanely S. Spudis* 1565 E. Tillman Road.
- 2 *Joe S. Spudis* " " "
- 3 *James W. Worman Jr.* 1415 E. Tillman Rd.
- 4 *Robert R. Clark* 1317 Tillman Rd.
- 5 *Mable E. Clark* 1317 Tillman Rd.
- 6 *Ormer M. Baker* 7120 Decatur Rd.
- 7 *Judy A. Shilling* 6903 Decatur Rd.
- 8 *Ronald L. Shilling* 6903 Decatur Rd.
- 9 *John H. Pitt* 6802 Decatur Rd.
- 10 *Ethel Pitt* 6802 Decatur Rd.
- 11 *Mary Graef* 1418 Gardendale
- 12 *Mamuela Vardall* 1427 Gardendale
- 13 *Dick Vardall* 1427 Gardendale
- 14 *Robert L. Vardall* 1501 Gardendale
- 15 *Anna Crite* " " " " " "
- 16 *Steve Taylor* 1209 Sylvia Ave.
- 17 *Harry Campbell* 1704 Gardendale
- 18 *Donna M. Campbell* 1704 Gardendale
- 19 *John Rodriguez* 1615 Seddlemayer.
- 20 *William J. Taylor* 1209 Sylvia
- 21 *Jayne E. Taylor* 1209 Sylvia Ave. (President)

22. Doris Carey 1214 Sylvia Ave.
23. Elias M. Shateen 1312 Sylvia Ave.
24. Mr Walter W. Crow 1324 Sylvia Ave
25. Mrs Walter Crow 1324 Sylvia Ave
26. Najat S. Shateen 1312 Sylvia Ave.
- 27.
28. Andrew Piatt 1332 Sylvia Ave
Clara Piatt 1332 Sylvia Ave
29. Dennis Murphy 1118 Sylvia
30. Judi Murphy 1118 Sylvia
31. Marjorie Mason 1029 Sylvia Ave.
32. Alois Mason 1029 Sylvia
33. Ruth Mason 1029 Sylvia
34. Louise Hegerfeld 1103 Sylvia St.
35. Alec Andringa 7022 Gary
36. Doris Andringa 7022 Gary
37. Margie Hauston 7028 Gary St.
38. Willie Hauston 7028 Gary St.
39. Vesta Ann Ware 1417 Southdale
40. Mark Ware 1417 Southdale
41. J. J. Parly 1420 Southdale
42. E. M. Krimm
43. Eugene B. Boett 7031 Gary St.
44. Eugene B. Boett 7031 Gary St.
45. Richard A. Kohne 1212 Sylvia
46. Bridget Kohne 1212 Sylvia
47. ~~XXXXXXXXXX~~ 11 11
Dennis M. Carey

- | | | |
|----|-----------------------|-----------------------|
| 48 | Phil Vacholzer | 1204 Sylvia |
| 49 | Jean Vacholzer | 1204 Sylvia |
| 50 | Patricia Salway | 7029 Gary St. |
| 51 | Patricia J. Burchette | 1133 Saddlemeier Ave. |
| 52 | Tough L. Sabbi | 1132 Saddlemeier Ave. |
| 53 | Joan Sallic | 1132 Saddlemeier Ave. |
| 54 | James O. Burchette | 1133 Saddlemeier Ave. |
| 55 | Robert L. Smith | 1223 Saddlemeier Ave. |
| 56 | Ludmilla Smith | 1223 Saddlemeier Ave. |
| 57 | Mrs Janet Beale | 1208 Sylvia St. |
| 58 | Helen & Cress | 1230 Sylvia |
| 59 | Sue Luce | 707 Decatur Rd. |
| 60 | Kenneth Lunde | 7007 Decatur Rd. |
| 61 | Mrs Omer Baker | 7120 Decatur Rd. |

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance3-76-07-30DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSIONSYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning ofthe following described property: Lots # 17 and # 16 Gardendale Addition,located on the north side of Seddlemeyer Avenue, and approximately 100 feeteast of Old Decatur Road.From "RA" to "M1"

EFFECT OF PASSAGE Property presently is zoned an "RA" District - Suburban
Residential. Petitioners are requesting an "M1" District - Light Industrial

EFFECT OF NON-PASSAGE Property would remain an "RA" District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulation #1